



King County Board of Ethics
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KING COUNTY BOARD OF ETHICS MEETING NOTICE

When: Monday, June 19, 2000, at 4:30 p.m.

Where: Bank of California Building
900 Fourth Avenue, 4th Avenue and Marion Street, Seattle
5th floor conference room (southwest corner of the building)

AGENDA

1. ***Approval of Agenda***
2. ***Approval of Meeting Minutes of May 15, 2000.***
3. ***Goal #5: Systematic Review of Code of Ethics.*** Review opinions & resources; determine next steps.
4. ***Review of Provisions of the Code Regarding Solicitation for Charitable Organizations by Elected Officials.*** Discussion.

cc: Ron Sims, King County Executive
King County Councilmembers
Duncan Fowler, Director–Ombudsman, Office of Citizen Complaints
Sheryl V. Whitney, Director, DIAS
James J. Buck, Deputy Director, DIAS
Carl A. Johansen, Senior Deputy Prosecuting Attorney
Mike Alvine, Council Legislative Analyst
John Chelminiak, Council Chief of Staff
Shaunta Hyde, Government Relations Specialist
Jeanne Keenan, Council Legislative Aide
Jeff Slayton, Council Associate Legal Counsel

Upon advance request, reasonable accommodations for people with disabilities are available by calling (206) 296-1586 or TTY 1-800-833-6388. Meeting location is an accessible facility.

Materials available in alternate formats.

Minutes of the June 19, 2000, Meeting of the King County Board of Ethics

The June 19, 2000, meeting of the King County Board of Ethics was called to order by Chair Price Spratlen at 4:31 p.m. Board members in attendance were:

Lois Price Spratlen, Ph.D., Chair

Mr. Roland H. Carlson
Margaret T. Gordon, Ph.D.
Lembhard G. Howell, Esq. (arriving at 4:45 p.m.)
Rev. Paul F. Pruitt

Others in attendance:

Ms. Catherine A. Clemens, Administrator, King County Board of Ethics
Mr. Carl A. Johansen, Senior Deputy Prosecuting Attorney
Mr. Duncan Fowler, Ombudsman Mr. James J. Buck, Deputy Director, Department of Information and Administrative Services (arriving at 5:35 p.m.)
Ms. Kristine Ottaway, Legislative Aide to Councilmember Jane Hague

1. *Proposed Agenda.* Mr. Carlson moved the approval of the proposed agenda; Rev. Pruitt seconded the motion and the agenda was approved.

Chair Price Spratlen asked for introductions from those present.

2. *Approval of Meeting Minutes of May 15, 2000.* Dr. Gordon moved to approve the May 15, 2000, meeting minutes; Rev. Pruitt seconded the motion, and the minutes were approved.

3. *Goal #5: Systematic Review of the Code of Ethics.* Ms. Clemens reviewed for the Board a possible course of action to set into motion the Board's goal of a systematic review of the Code of Ethics for appropriate recommendations for consideration by the Executive and County Council. She provided issues for consideration, and suggested a draft schedule of issues for review, beginning with the post-employment provision. This suggestion was made after conferring with Mr. Buck, Board counsel, and the Ombudsman. This provision receives the greatest number of questions from employees and is problematic throughout the county in terms of understanding, adherence and enforcement. Other issues for consideration were filing requirements and penalties. The Chair asked Mr. Fowler if he wished to suggest any other provisions and he responded by suggesting a review of the independence of the Ombudsman while investigating issues related to the County Council. The Chair agreed that we should move forward with this initiative while the Board enjoyed quality staff resources. Rev. Pruitt stated that, given the time necessary for review and passage for past issues, we might consider an approach of a major issue, balanced with a minor issue. With the understanding that the process could be corrected or amended at any time, Mr. Carlson moved that the Board adopt the review plan and direct the Board administrator and counsel to research and report back to the Board on the issue of post-employment prohibitions and to create a first draft for Board review. Rev. Pruitt seconded the motion and the motion passed unanimously.

4. *Review of Provisions of the Code Regarding Solicitation for Charitable Organizations by Elected Officials.* Chair Price Spratlen asked the members to address the confidential nature of the communication from Board counsel. At 4:55 p.m., the Chair requested that the meeting move into executive session for the purpose of discussing privileged communication by counsel and asked that all persons other than Board members and Board counsel leave the room. The Chair announced that the executive session would conclude in ten minutes. At 5:08 p.m. the Board completed the executive session and resumed its regular meeting.

Mr. Howell moved to accept the June 19, 2000, memo from Board counsel regarding Comments on Issues Raised by Duncan Fowler in his May 12, 2000, Email Message. Mr. Carlson seconded the motion and the motion was unanimously approved.

Mr. Johansen briefed the board on the June 12, 2000, memo regarding Adding Citations to the Code of Ethics and Advisory Opinions in the Letter Approved by the Board of Ethics on May 15, 2000, as well as a draft letter from the Board to the Council regarding Responses to Request for Clarification of King County Ethics Code Provisions. Mr. Johansen reviewed the history of the request from the six Councilmembers and the recent concerns that had surfaced based on comments from the Ombudsman resulting in a request from the Board to provide a more detailed response. Following careful review of the memo and letter draft, Mr. Carlson moved to accept with letter draft with minor changes; Dr. Gordon seconded and motion and the letter draft was unanimously approved.

Chair Price Spratlen, in agreement with the Board, commended Mr. Johansen for this superior work regarding the year long review and drafting of this response, and stated her intention to send a letter to Ms. Sally Tenney in that regard. Mr. Fowler commented that this response will be helpful to the Ombudsman; he stated that the document is balanced and provides guidance for amendments to the Code should the County Council so choose. Chair Price Spratlen suggested that each Board member keep their copy and ensure complete understanding since it may be a subject of future discussions when Board members meet with Councilmembers.

Mr. Johansen distributed correspondence related to the reimbursement of attorney's fees for Mr. Andrew Schmid by the County regarding the Ombudsman's findings and appeal to the Board of Ethics on a complaint of violation of the Code of Ethics. There was no discussion.

Dr. Gordon announced that she will be out of town for the next Board meeting to be held on July 17, 2000.

At 6:15 p.m., Rev. Pruitt moved to adjourn the meeting; Mr. Carlson seconded the motion; the motion was approved unanimously and the meeting was adjourned.

Approved this ____ day of _____, 2000, by the King County Board of Ethics.

Signed for the
Board: _____

Dr. Lois Price Spratlen, Chair